

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M

EVALUATION FACTORS FOR AWARD

TABLE OF CONTENTS

EVALUATION FACTORS FOR AWARD	1
M. 1 EVALUATION OF PROPOSALS	1
M.2 BASIS FOR CONTRACT AWARD	2
M.3 OVERALL RELATIVE IMPORTANCE OF EVALUATION FACTORS	2
M.4 TECHNICAL EVALUATION FACTORS/CRITERIA	3
M.5 COST AND FEE EVALUATION CRITERIA	7

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M

EVALUATION FACTORS FOR AWARD

M. 1 EVALUATION OF PROPOSALS

- (a) This acquisition will be conducted pursuant to the policies and procedures in Federal Acquisition Regulation (FAR) Part 15 and Department of Energy Acquisition Regulation (DEAR) Part 915. The Department of Energy (DOE) has established a Source Evaluation Board (SEB) to evaluate the proposals submitted for this acquisition. Proposals will be evaluated by the SEB members in accordance with the procedures contained in FAR Part 15, DEAR Part 915, and the Evaluation Factors hereinafter described.
- (b) The instructions set forth in Section L are designed to provide guidance to the offeror concerning the documentation and oral interviews that will be evaluated by the SEB. The offeror must furnish adequate and specific information in its response. A proposal will be eliminated from further consideration before the initial ratings if the proposal is so grossly and obviously deficient as to be totally unacceptable. For example, a proposal will be deemed unacceptable if it does not address the essential requirements of the Request for Proposal (RFP), or if it clearly demonstrates that the offeror does not understand the requirements of the RFP. In the event that a proposal is rejected, a notice will be sent to the offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (c) Any exceptions, deviations, or conditional assumptions to the terms of this solicitation, unless specifically requested in the RFP, may make the offer unacceptable for an award without discussion. If an offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another offeror that did not take exception to the terms and conditions of the contract.
- (d) Prior to an award, the Contracting Officer shall make a finding whether any possible Conflict(s) of Interest (COI), or Organizational Conflict(s) of Interest (OCI) exists with respect to the apparent successful offeror or whether there is little or no likelihood that such conflict(s) exists. In making this determination, DOE will consider the representation required by Section K of this solicitation. An award will be made if there is no conflict(s) or if it can be avoided or mitigated appropriately.
- (e) Federal Law prohibits the award of a contract under a national security program to a company owned by an entity controlled by a foreign government unless the Secretary of Energy grants a waiver. In making this determination, the

Government will consider the certification required by Section K, Attachment A – Foreign Ownership, Control, or Influence.

- (f) For offerors who have established a separate business unit for this contract, a Guarantee of Performance Agreement in accordance with the requirements of Section K of this solicitation will be a condition of the award of this contract.
- (g) The Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.
- (h) A contract shall be awarded to responsible prospective contractors only. To be determined responsible, a prospective contractor must meet the requirements stated in FAR Part 9, Contractor Qualifications.

M.2 BASIS FOR CONTRACT AWARD

The Government intends to award one contract to the responsible offeror whose proposal is responsive to the solicitation and is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating the strengths and weaknesses of each offeror's proposal in accordance with the evaluation criteria below.

In determining the best value to the government, the Technical Evaluation Factors/Criteria are significantly more important than the evaluated price. Evaluated price is the government-determined most probable cost plus the fee associated with the most probable cost as calculated from the fee share ratio. The Government is more concerned with obtaining a superior technical proposal than making an award at the lowest evaluated price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another. The Government will assess whether the strengths and weaknesses between or among competing technical and management proposals indicates a superiority from the standpoint of: (1) what the difference might mean in terms of anticipated performance; and (2) what the evaluated price to the Government would be to take advantage of the difference.

M.3 OVERALL RELATIVE IMPORTANCE OF EVALUATION FACTORS

- (a) The proposals will be evaluated using information submitted by the offerors on the following factors: Technical Approach and Risk Management, Business Acumen, Integrated Safety Management, Experience, Small Business, and Past Performance. The relative weighting of the point scored evaluation factors are as follows:

Evaluation Factor	Weight
Technical Approach and Risk Management	400
Business Acumen	350
Integrated Safety Management	150
Experience	50
Small Business	50
Total	1000

- (b) Sub-factor (1) Technical Approach is more important than sub-factor (2) Risk Management under the evaluation factors listed in M.4(a) Technical Approach and Risk Management. The Technical Approach sub-sub-factors are weighted in descending order of importance as follows:
- (1) INTEC Cleanup
 - (2) RWMC Cleanup
 - (3) TRA Cleanup
 - (4) TAN Cleanup
 - (5) PBF Cleanup
 - (6) Miscellaneous Sites
 - (7) Key Performance Measures
- (c) Sub-factor (1) Key Personnel is more important than sub-factor (2) Organization and Project Management under the evaluation factors listed in M.4(b) Business Acumen.
- (d) The Integrated Safety Management Evaluation sub-factors, (1), (2) and (3), are weighted approximately equal.
- (e) Past Performance will be adjectively rated and weighted approximately equal to Experience.
- (f) DOE will consider consistency of an offeror's proposal, related to a specific evaluation factor, and how well that portion of the proposal integrates with other portions of the offeror's proposal related to other evaluation factors.

M.4 TECHNICAL EVALUATION FACTORS/CRITERIA

- (a) Technical Approach and Risk Management
- (1) Technical Approach
 - (i) DOE will evaluate the feasibility of each offeror's performance-based technical approach to accomplish the work scope by September 30, 2012, as specified in Section C.2 for the Idaho Nuclear Technology and Engineering Center (INTEC) while

meeting regulatory requirements throughout the contract period. DOE will evaluate how the offeror proposes to accomplish the statement of work in the most effective, efficient and innovative manner, including the proposed end-state in meeting regulatory requirements for each of the high-risk facilities. DOE will also evaluate the technical approach and the impacts of the alternative approach for SBW treatment, HLW calcine, and tank farm closure.

- (ii) DOE will evaluate the feasibility of each offeror's performance-based technical approach to accomplish the work scope by September 30, 2012, as specified in Section C.3 for the Radioactive Waste Management Complex (RWMC) while meeting regulatory requirements throughout the contract period. DOE will evaluate how the offeror proposes to accomplish the statement of work in the most effective, efficient and innovative manner.
- (iii) DOE will evaluate the feasibility of each offeror's performance-based technical approach to accomplish the work scope by September 30, 2012, as specified in Section C.5 for the Test Reactor Area (TRA) while meeting regulatory requirements throughout the contract period. DOE will evaluate how the offeror proposes to accomplish the statement of work in the most effective, efficient and innovative manner, including the proposed end-state in meeting regulatory requirements for each of the high-risk facilities.
- (iv) DOE will evaluate the feasibility of each offeror's performance-based technical approach to accomplish the work scope by September 30, 2012, as specified in Section C.4 for the Test Area North (TAN) while meeting regulatory requirements throughout the contract period. DOE will evaluate how the offeror proposes to accomplish the statement of work in the most effective, efficient and innovative manner, including the proposed end-state in meeting regulatory requirements for each of the high-risk facilities.
- (v) DOE will evaluate the feasibility of each offeror's performance-based technical approach to accomplish the work scope by September 30, 2012, as specified in Section C.6 for the Power Burst Facility (PBF) while meeting regulatory requirements throughout the contract period. DOE will evaluate how the offeror proposes to accomplish the statement of work in the most effective, efficient and innovative manner, including the proposed end-state in meeting regulatory requirements for the high-risk facility.

- (vi) DOE will evaluate the feasibility of each offeror's technical approach to accomplish the work scope by September 30, 2012, as described in Section C.7 for Miscellaneous Sites.
- (vii) DOE will evaluate each offeror's key performance measures for completeness, reasonableness, consistency with the offeror's proposal, and compliance with regulatory agreements/milestones.

Note: The evaluation of integration of safety into the technical approach will be evaluated and scored as part of criteria M.4(c), Integrated Safety Management, below.

(2) Risk Management

DOE will evaluate each offeror's assessment of work scope uncertainties and its ability to identify, assess, and manage risk. For those uncertainties that present a significant risk to project requirements, cost, and schedule, DOE will evaluate the offeror's proposed approach to eliminate, avoid or mitigate those uncertainties. If the offeror proposes an aggressive alternative regulatory approach to more efficiently achieve risk reduction end states (including high risk facility disposition end states), or to meet regulatory agreements or commitments, DOE will evaluate the confidence level and feasibility for achieving successful regulatory approval and the risk mitigation strategy in the event regulatory approval is not obtained. If the offeror proposes an aggressive or innovative technical approach, DOE will evaluate the confidence level and feasibility for achieving successful work scope completion and the risk mitigation strategy for this innovative technical approach.

(b) Business Acumen

(1) Key Personnel

DOE will evaluate each offeror's open presentation, technical interview and written proposal to assess the education, qualifications, experience, past performance, knowledge of the statement of work, suitability for their proposed positions, and leadership of Key Personnel. DOE will evaluate the Key Personnel's ability to effectively execute the SOW safely, continually improve performance, and manage risk. The Project Manager will be weighted significantly more importantly than the remaining Key Personnel. Failure to submit Letters of Commitment for a minimum of three years, will result in a lower rating. DOE will evaluate the offeror's capabilities, management systems and evaluation process to recruit, retain and remove (if necessary) Key Personnel including the Project Manager. DOE will utilize information from the proposal and the oral interviews in forming the evaluation of Key Personnel.

(2) Organization and Project Management

DOE will evaluate the effectiveness of each offeror's approach for integrating the performance schedules of the ICP to complete all of the requirements in the SOW by September 30, 2012, while remaining within the annual and total funding limitation per Section B.2. DOE will evaluate the effectiveness of each offeror's proposed management approach and organization to achieve the cleanup requirements in the SOW. DOE will evaluate the effectiveness of each offeror's organizational structure, project structure relating the organization to the SOW, Work Breakdown Structure (WBS), and its approach for managing project performance to control cost and schedule.

(c) Integrated Safety Management (ISM)

- (1) DOE will evaluate the offeror's proposed process to effectively execute a single Integrated Safety Management System that flows down into all work activities, including subcontractors. DOE will also evaluate how safety deficiencies are identified and resolved and how effective corrective action will be implemented.
- (2) DOE will evaluate each offeror's integration of safety into its performance based technical approach for the work scope evaluated under M.4(a)(1). DOE will evaluate how specific hazards associated with the most significant and challenging work scope have been identified. DOE will also evaluate the effectiveness of the proposed hazard reduction or mitigation strategies detailed in its technical approach to work accomplishment.
- (3) DOE will evaluate how the offeror will ensure worker safety during the first 90 days after contract takeover as well as through the balance of the contract period.

(d) Experience

DOE will evaluate the offeror's cleanup experience on projects similar in type, scope, complexity, duration and risk to the ICP, including the offeror's experience in using corporate capability to provide support, oversight, and problem solving. DOE will evaluate the offeror's experience in dealing with stakeholders and working with regulatory agencies at the state and federal levels. DOE will also evaluate the offeror's experience with management and integration of regulatory agreements with the objective of site cleanup under resource limitations. DOE will evaluate the offeror's experience in managing a multi-disciplined work force.

(e) Small Business

DOE will evaluate the participation and extent to which small business, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business, small disadvantaged business, and women-owned small business concerns are included in the offeror's proposed plan to accomplish project requirements, in terms of the overall share of the work, the variety and complexity of the work to be performed, and participation in management of the work. DOE will evaluate the offeror's past performance in meeting subcontracting goals for small business and small disadvantaged businesses. DOE will evaluate information regarding past performance (if obtained) from independent data as well as data provided by offerors.

(f) Past Performance

DOE will evaluate each offeror's corporate past performance under existing and prior contracts regarding the execution of work similar to the SOW in type, scope, complexity and risk, as demonstrated by responses to the offeror's Past Performance Reference Information Form and Questionnaire. DOE will evaluate the information provided on problems encountered on contracts, the list of contracts terminated within the past three years, and other relevant information available to DOE.

M.5 COST AND FEE EVALUATION CRITERIA

- (a) DOE will evaluate each offeror's proposed target cost and target fee to ensure total contract cost and fee do not exceed annual and total funding limitations specified in Section B.2.
- (b) DOE will evaluate each offeror's proposed target cost for realism, reasonableness and completeness. DOE will complete a most probable cost assessment of the offeror's proposed target cost to reach an estimate as prescribed by FAR 15. DOE will also evaluate transition costs for reasonableness and completeness and determine a most probable transition cost.
- (c) The evaluated price will then be calculated by combining:
 - (1) the most probable target cost with the fee associated with the most probable target cost, based on the fee share ratio; and
 - (2) the most probable transition cost.

The evaluated price will be used to make the determination of best value to the government.